

Form 149

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

In re:

William D. Eckman Jr.
Sandra L. Eckman
Debtor(s)

Bankruptcy Case No.: 19-21807-GLT
Issued Per 2/25/2021 Proceeding
Chapter: 13
Docket No.: 189 – 164
Concil. Conf.: February 25, 2021 at 10:30 AM

**ORDER OF COURT CONFIRMING PLAN AS MODIFIED
AND SETTING DEADLINES FOR CERTAIN ACTIONS**

(1.) PLAN CONFIRMATION:

IT IS HEREBY ORDERED that upon consent of the Debtor(s), the Chapter 13 Plan dated December 29, 2020 is CONFIRMED as modified at the Plan confirmation hearing. Terms of the Plan not expressly modified by this Order remain in full force and effect. A copy of this Plan was previously mailed to you. *Only those provisions which are checked below apply to this case:*

- ☐ A. For the remainder of the Plan term, the periodic Plan payment is amended to be \$ as of . Debtor(s)' counsel shall file a motion to amend the income attachment order within seven (7) days of the date of this Order.
- ☒ B. The length of the Plan is increased to a total of 60 months. This statement of duration of the Plan is an approximation. The Plan shall not be completed until the goals of the Plan have been achieved. The total length of the Plan shall not exceed sixty (60) months.
- ☐ C. Plan confirmation is on an interim basis only as a form of adequate protection. The Trustee is authorized to distribute to secured and priority creditors with percentage fees. ***A final plan conciliation conference will be held on Feb. 25, 2021 at 10:30 AM, in remotely by the Trustee via Zoom, how to participate: goto www.ch13pitt.com, meetings@chapter13trusteewdpa.com.*** If the Parties cannot resolve all disputes at the conciliation conference, a hearing will be scheduled and orally announced at the conclusion of the conference without any further written notice to any party. Parties are directed to monitor the Court's docket and read the Chapter 13 Trustee's minutes of the conciliation conference to the extent such parties desire more information regarding the outcome of the conciliation conference.
- ☐ D. Plan confirmation is subject to the resolution of all actions to determine the avoidability, priority, or extent of liens; including determination of the allowed amount of secured claims under 11 U.S.C. §506, disputes over the amount and allowance of claims entitled to priority under 11 U.S.C. §507, and all objections to claims.
- ☐ E. The allowed claims of general unsecured creditors shall be paid from available funds on a pro rata basis, which may represent an increase or decrease in the amount projected in the Plan.
- ☐ F. shall be paid monthly payments of \$ beginning with the Trustee's distribution and continuing for the duration of the plan term, to be applied by that creditor to its administrative claim, budget payments and/or security deposit. These payments shall be at the third distribution level.
- ☐ G. The claims of the following creditors shall govern as to amount, classification and rate of interest (or as otherwise noted), unless the Debtor(s) successfully objects to the claim: .
- ☒ H. Additional Terms: Peoples Gas to be paid per order of 6-25-2020 (DOC 136).
Municipal Authority of City of New Kensington to be paid per order of 1-20-21 (Doc 181).
Attorney fees are no look based on retainer of \$500.00.

(2.) IT IS FURTHER ORDERED THAT THE FOLLOWING DEADLINES ARE ESTABLISHED:

A. Objections to the Plan. Pursuant to *Fed.R.Bankr.P. 2002(b)*, this Order shall not become final for a period of twenty-eight (28) days. Any party in interest with an objection to any provision of this Confirmation Order must file a written objection within that twenty-eight (28) day period. Failure to timely object shall be deemed a waiver of all objections and an acceptance of the provisions of this confirmed Plan. The Trustee may disburse funds pursuant to this confirmation order upon its entry.

B. Applications to retain brokers, sales agents, or other professionals. If the Plan contemplates sales of assets or litigation proceeds as a source of funding, Debtor(s) shall file motion(s) to employ the necessary professionals within thirty (30) days hereof.

C. Review of Claims Docket and Objections to Claims. Pursuant to *W.PA.LBR 3021-1(c)(2)*, the Debtor or Debtor's attorney, if represented, shall review the proofs of claim filed and shall file objections to any disputed claims within ninety (90) days after the claims bar date or, for late filed or amended claims, within ninety (90) days after they are filed and served. Absent an objection, the proof of claim will govern as to the classification and amount of the claim. Objections filed after the ninety (90) days specified herein shall be deemed untimely.

D. Motions or Complaints Pursuant to §§506, 507 or 522. All actions to determine the priority, avoidability, or extent of liens, all actions pursuant to *11 U.S.C. §§506, 507 and 522* shall be filed within ninety (90) days after the claims bar date.

E. Filing Amended Plans. Within fourteen (14) days after the Bankruptcy Court resolves the priority, avoidability, or extent of a lien, or any objection to claim, the Debtor(s) shall file an amended Plan to provide for the allowed amount of the claim if the allowed amount differs from the amount stated in the plan. Debtor(s) shall also file an amended Plan within thirty (30) days after the claims bar date(s) in the event that no objection is filed and the claim(s) as filed causes the Plan to be underfunded.

(3.) ***IT IS FURTHER ORDERED THAT:***

A. After the claims objection deadline, the Plan shall be deemed amended to conform to the claims filed or otherwise allowed. If the Plan expressly modified the terms of payment to any creditor pursuant to *11 U.S.C. §1322(b)(2)*, nothing in this Order shall be construed to change the payment terms established in the Plan.

B. Any creditor who files or amends a proof of claim shall serve a copy on the Debtor(s) or counsel for the Debtor(s).

C. Any creditor whose payment changes due to variable interest rates, change in escrow, or change in monthly payments, shall notify the Trustee, Debtor(s)' counsel and Debtor(s) at least twenty-one (21) days prior to the change taking effect.

D. Debtor's counsel must file a fee application in accordance with *W.P.A.LBR 2016-1* before attorney fees in excess of the "no look" provision (including retainer) will be allowed or paid.

E. The Trustee shall file a *Certificate of Default and Request for Dismissal* of the case in the event of a material Plan default. If the default involves failure to make a plan payment the case will result in dismissal without further hearing upon filing and service of an *Affidavit of Default* by the Trustee. The Trustee is not precluded from raising pre-confirmation defaults in any subsequent motion to dismiss.

F. In the event that any order is entered in this case granting relief from the automatic stay to a secured creditor, then the Trustee shall make no further disbursements to any creditor on account of any ***secured claim*** that is secured by the subject property, unless directed otherwise by further Order of Court.



Gregory A. Taddonio, Judge
United States Bankruptcy Court

Dated: February 26, 2021

cc: All Parties in Interest to be served by Clerk in seven (7) days

In re:
William D. Eckman
Sandra L. Eckman
Debtors

Case No. 19-21807-GLT
Chapter 13

CERTIFICATE OF NOTICE

District/off: 0315-2
Date Rcvd: Feb 26, 2021

User: dbas
Form ID: 149

Page 1 of 3
Total Noticed: 23

The following symbols are used throughout this certificate:

Symbol	Definition
+	Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Feb 28, 2021:

Recip ID	Recipient Name and Address
db/jdb	+ William D. Eckman, Jr., Sandra L. Eckman, 436 Esther Avenue, New Kensington, PA 15068-4732
cr	+ Peoples Gas Company LLC, f/k/a Peoples TWP LLC, c/o S. James Wallace, P.C., 845 N. Lincoln Ave., Pittsburgh, PA 15233-1828
15335986	+ Freedom Mortgage Corporation, 10500 Kincaid Dr., Fishers, IN 46037-9764
15045099	+ PHH Mortgage, 2001 Bishops Gates Blvd., Attn: Mail Stop SV-01, Mount Laurel, NJ 08054-4604
15289307	+ PINGORA LOAN SERVICING, LLC, FLAGSTAR BANK F.S.B., 5151 CORPORATE DRIVE, TROY MI 48098-2639
15082054	+ PINGORA LOAN SERVICING, LLC, FLAGSTAR BANK F.S.B., 5151 CORPORATE DRIVE, SUITE 3-142, TROY MI 48098-2639
15045097	Paul R. Yagleski, Esquire, Third Floor, Pittsburgh, PA 15219
15072317	+ Peoples Gas Company LLC, f/k/a Peoples TWP, c/o S. James Wallace, P.C., 845 N. Lincoln Avenue, Pittsburgh, PA 15233-1828
15045098	Phelan Hallinan LLP, 1617 JFK Blvd., Suite 1400, One Penn Center Plaza, Philadelphia, PA 19103
15077221	UPMC Physician Services, PO Box 1123, Minneapolis, MN 55440-1123
15109399	+ Unifund CCR, 10625 Techwoods Circle, Cincinnati, OH 45242-2846

TOTAL: 11

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.

Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI). Electronic transmission is in Eastern Standard Time.

Recip ID	Notice Type: Email Address	Date/Time	Recipient Name and Address
cr	+ Email/Text: akpostal.fcu@verizon.net	Feb 27 2021 01:50:00	Allegheny Kiski Postal Federal Credit Union, 501 11th Street, Suite 206, New Kensington, PA 15068-6126
15045094	+ Email/Text: akpostal.fcu@verizon.net	Feb 27 2021 01:50:00	Allegheny Kiski Postal FCU, 501 11th Street, Room 206, New Kensington, PA 15068-6126
15064273	+ Email/Text: akpostal.fcu@verizon.net	Feb 27 2021 01:50:00	Allegheny Kiski Postal Federal Credit Union, 501 11th Street, Room 206, New Kensington, PA 15068-6126
15084728	Email/Text: ally@ebn.phinsolutions.com	Feb 27 2021 01:50:00	Ally Bank, PO Box 130424, Roseville MN 55113-0004
15045095	+ Email/Text: ally@ebn.phinsolutions.com	Feb 27 2021 01:50:00	Ally Financial, P.O. Box 130424, Saint Paul, MN 55113-0004
15045096	+ Email/Text: ebnnotifications@creditacceptance.com	Feb 27 2021 01:50:00	Credit Acceptance Corporate, 25505 W. 12 Mile Rd., Southfield, MI 48034-8316
15072330	Email/Text: JCAP_BNC_Notices@jcap.com	Feb 27 2021 01:51:00	Jefferson Capital Systems LLC, Po Box 7999, Saint Cloud Mn 56302-9617
15052418	Email/PDF: resurgentbknofications@resurgent.com	Feb 27 2021 01:56:36	LVNV Funding, LLC, Resurgent Capital Services, PO Box 10587, Greenville, SC 29603-0587
15069699	+ Email/Text: bankruptcydpt@mcmcg.com	Feb 27 2021 01:51:00	MIDLAND FUNDING LLC, PO Box 2011, Warren, MI 48090-2011
15045100	+ Email/Text: bankruptcy@huntington.com	Feb 27 2021 01:51:00	The Huntington National Bank, 3 Cascade Plaza, Akron, OH 44308-1124
15080052	Email/PDF: EBN_AIS@AMERICANINFOSOURCE.COM	Feb 27 2021 01:54:49	Verizon, by American InfoSource as agent, PO Box 4457, Houston, TX 77210-4457

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Date Rcvd: Feb 26, 2021

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15088291 + Email/Text: bankruptcy@firstenergycorp.com

Feb 27 2021 01:51:00

West Penn Power, 5001 NASA Blvd, Fairmont
WV 26554-8248

TOTAL: 12

BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, *duplicate of an address listed above, *P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

Recip ID	Bypass Reason	Name and Address
cr		Auto Trakk, LLC
cr		FREEDOM MORTGAGE CORPORATION
cr		Pingora Loan Servicing, LLC
cr	*+	Freedom Mortgage Corporation, 10500 Kincaid Drive, Fishers, IN 46037-9764
15150748	*+	PINGORA LOAN SERVICING, LLC, FLAGSTAR BANK F.S.B., 5151 CORPORATE DRIVE, SUITE 3-142, TROY MI 48098-2639

TOTAL: 3 Undeliverable, 2 Duplicate, 0 Out of date forwarding address

NOTICE CERTIFICATION

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Feb 28, 2021

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on February 26, 2021 at the address(es) listed below:

Name	Email Address
Brian Nicholas	on behalf of Creditor Pingora Loan Servicing LLC bnicholas@kmlawgroup.com
D. Alexander Barnes	on behalf of Creditor Auto Trakk LLC alexander.barnes@obermayer.com
David Z. Valencik	on behalf of Debtor William D. Eckman Jr. dvalencik@c-vlaw.com, cvlaw.ecf.dvalencik@gmail.com;aheath@c-vlaw.com;kmosur@c-vlaw.com;bhassain@c-vlaw.com;ssimmons@c-vlaw.com;mped uto@c-vlaw.com;rfeil@c-vlaw.com;eratti@c-vlaw.com
David Z. Valencik	on behalf of Joint Debtor Sandra L. Eckman dvalencik@c-vlaw.com cvlaw.ecf.dvalencik@gmail.com;aheath@c-vlaw.com;kmosur@c-vlaw.com;bhassain@c-vlaw.com;ssimmons@c-vlaw.com;mped uto@c-vlaw.com;rfeil@c-vlaw.com;eratti@c-vlaw.com
Donald R. Calaiaro	on behalf of Joint Debtor Sandra L. Eckman dcalaiaro@c-vlaw.com cvlaw.ecf.dcalaiaro@gmail.com;aheath@c-vlaw.com;kmosur@c-vlaw.com;bhassain@c-vlaw.com;ssimmons@c-vlaw.com;mped uto@c-vlaw.com;rfeil@c-vlaw.com;eratti@c-vlaw.com
Donald R. Calaiaro	on behalf of Debtor William D. Eckman Jr. dcalaiaro@c-vlaw.com, cvlaw.ecf.dcalaiaro@gmail.com;aheath@c-vlaw.com;kmosur@c-vlaw.com;bhassain@c-vlaw.com;ssimmons@c-vlaw.com;mped uto@c-vlaw.com;rfeil@c-vlaw.com;eratti@c-vlaw.com
James A. Prostko	on behalf of Joint Debtor Sandra L. Eckman jprostko@c-vlaw.com

District/off: 0315-2

User: dbas

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James A. Prostko

on behalf of Debtor William D. Eckman Jr. jprostko@c-vlaw.com

Jerome B. Blank

on behalf of Creditor Pingora Loan Servicing LLC pawb@fedphe.com

Mario J. Hanyon

on behalf of Creditor FREEDOM MORTGAGE CORPORATION wbecf@brockandscott.com
mario.hanyon@brockandscott.com

Mark B. Peduto

on behalf of Plaintiff Sandra L. Eckman mpeduto@c-vlaw.com
jadam@c-vlaw.com;ssimmons@c-vlaw.com;kmosur@c-vlaw.com;apratt@c-vlaw.com;rfeil@c-vlaw.com;eratti@c-vlaw.com

Mark B. Peduto

on behalf of Plaintiff William D. Eckman Jr. mpeduto@c-vlaw.com,
jadam@c-vlaw.com;ssimmons@c-vlaw.com;kmosur@c-vlaw.com;apratt@c-vlaw.com;rfeil@c-vlaw.com;eratti@c-vlaw.com

Mark B. Peduto

on behalf of Debtor William D. Eckman Jr. mpeduto@c-vlaw.com,
jadam@c-vlaw.com;ssimmons@c-vlaw.com;kmosur@c-vlaw.com;apratt@c-vlaw.com;rfeil@c-vlaw.com;eratti@c-vlaw.com

Mark B. Peduto

on behalf of Joint Debtor Sandra L. Eckman mpeduto@c-vlaw.com
jadam@c-vlaw.com;ssimmons@c-vlaw.com;kmosur@c-vlaw.com;apratt@c-vlaw.com;rfeil@c-vlaw.com;eratti@c-vlaw.com

Office of the United States Trustee

ustpregion03.pi.ecf@usdoj.gov

Paul R. Yagelski

on behalf of Creditor Allegheny Kiski Postal Federal Credit Union pryagelski@rothmangordon.com
jdmyers@rothmangordon.com

Paul R. Yagelski

on behalf of Defendant Allegheny Kiski Postal FCU pryagelski@rothmangordon.com jdmyers@rothmangordon.com

Ronda J. Winnecour

cmecf@chapter13trusteewdpa.com

S. James Wallace

on behalf of Creditor Peoples Gas Company LLC f/k/a Peoples TWP LLC ecfpeoples@grblaw.com,
PNGbankruptcy@peoples-gas.com

Thomas Song

on behalf of Creditor Pingora Loan Servicing LLC pawb@fedphe.com

TOTAL: 20